

## ANNEX 4

### Consolidated Practice Direction for Divisional Court Proceedings

This practice direction applies to Divisional Court proceedings, effective June 1, 2023. It replaces all previously issued practice directions and notices to the profession for the Divisional Court and the Provincial Notice to the Profession, Parties, Public, and Media.

Counsel and parties are advised to refer to the applicable **region-specific Practice Directions** and **region-specific Notices to the Profession**, which are also available on the Superior Court of Justice **website**.

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**Part I: Divisional Court Proceedings**

**A. Commencing Proceedings in the Divisional Court**

1. Parties are required to follow the practice set out below for all matters in the Divisional Court anywhere in Ontario. This practice direction applies to all Divisional Court proceedings, including panel matters, in-writing motions for leave to appeal, and matters heard by a single judge.
2. Any party wishing to commence a new application or appeal in the Divisional Court, or to schedule a motion in the Divisional Court, shall file the Notice of Application, Notice of Appeal, or Notice of Motion, together with a completed Divisional Court Intake Form (link).
3. The Divisional Court location where a proceeding is to be commenced is determined as follows, unless the Court has ordered otherwise:
  - a. Motions for leave to appeal under Rule 62.02 of the *Rules of Civil Procedure* must be commenced at the Toronto Divisional Court.
  - b. Single-judge proceedings (as set out in paragraph 4 of this Part) must be commenced at:
    - i. the Superior Court of Justice location where the order being appealed was made, or
    - ii. the Superior Court of Justice location in the same city, county, district or regional municipality as the Small Claims Court where the order being appealed was made. (For example, an order made at the Richmond Hill Small Claims Court in York Region is appealed at the Newmarket location of the Superior Court of Justice.)
  - c. All other types of Divisional Court proceeding must be commenced at the Regional Centre (as set out in Schedule A) corresponding to the court or tribunal location where the order being appealed or reviewed was made.
4. Proceedings before a single judge of the Divisional Court include the following:
  - a. appeals of final orders of an associate judge under s. 19(1)(c) of the [\*Courts of Justice Act\*](#);
  - b. appeals of Small Claims Court final orders under s. 31 of the [\*Courts of Justice Act\*](#);
  - c. motions for leave to appeal from tribunals that are not motions under Rule 62.02 of the [\*Rules of Civil Procedure\*](#);

- d. urgent applications for judicial review, with leave, under s. 6(2) of the [Judicial Review Procedure Act](#);
  - e. matters heard and determined by a single judge under s. 21(2)(c) of the [Courts of Justice Act](#); and,
  - f. motions for interim relief.
5. If a party attempts to commence a proceeding in the improper court location, the registrar may reject their originating document.
  6. For appeals being heard by a panel, documents are filed and in-person hearings are held at the Regional Centre for the region in which the decision being challenged was made. Similarly, in applications for judicial review, documents are filed and in-person hearings are held at the Regional Centre for the region where the application is commenced. The list of Regional Centres and addresses is set out in Schedule A.
  7. For urgent matters, immediately after receiving confirmation that the proceeding has been commenced and that a court file number has been assigned, the commencing party is responsible for informing all other parties of the file number unless the court has directed otherwise.

#### **B. Standard Document Naming Protocol**

8. When documents are submitted to the court in electronic format, the document name must be saved as follows:
  - a. Document type,
  - b. Type of party submitting the document,
  - c. Name of the party submitting the document (including initials if the name is not unique to the case), and
  - d. Date on which the document was created or signed, in the format DD-MMM-YYYY (e.g. 12-JAN-2021).

Examples of typical document names are set out in Schedule B.

9. Document names shall not include firm-specific naming conventions, abbreviations, form numbers or file numbers.

#### **C. Filing Materials Electronically**

10. Although services continue to be available at the court counter, counsel and parties are expected to file their Divisional Court documents electronically, and pay any associated court fees, by using the online portal provided by the Ministry of the Attorney General through its Justice Services Online (JSO) portal: Civil Submissions Online. Documents should be submitted electronically for filing in accordance with the *Rules of Civil Procedure*, or as directed in a Region's practice direction or notice. Information about Civil Submissions

Online is available on the Ministry's website at the following link:  
<https://www.ontario.ca/page/file-civil-or-divisional-court-documents-online>.

11. Use the court's Standard Document Naming Protocol when submitting documents to the court in electronic format. The Protocol is set out in section B of this part above.
12. Uploading a document to CaseLines does not constitute filing of the document. Unless the court orders otherwise, or a rule or provision of this Practice Direction provides otherwise, only documents that have already been filed with the court may be uploaded to CaseLines.
13. Once accepted by the court registrar, a document will be considered to have been issued or filed on the date indicated by the registrar or the filing software on the document or in the confirmation sent by the registrar.
14. Filings must comply with any restrictions placed on the length of material that can be submitted in connection with each event, such as limits on the number of pages for an affidavit or conference brief.
15. Filed materials should include any prior orders or endorsements that were issued and that are relevant to the request(s) being made.
16. Filing in person at the court office or by email at the Divisional Court Regional Centre (see email addresses at Schedule A) is available where parties,
  - a. have documents that must be filed urgently, including requests for an urgent hearing;
  - b. have documents that must be filed for a hearing or deadline that is 5 business days or fewer away;
  - c. have documents that are sealed or are in support of a sealing motion; or
  - d. are unable to submit documents electronically due to an accessibility or technology limitation.

You can contact the [Accessibility Coordinator](#) at the courthouse if you require accessibility services.

17. Unless the court directs otherwise, where counsel and parties deliver materials by email, they must,
  - a. retain any documents that were originally signed, certified, or commissioned in paper format until the day on which the case is finally disposed of or, if no notice of appeal is served in the case, the time for serving the notice has expired; and
  - b. promptly make the original document available for inspection and copying on the request of the court, the registrar, or any party to the case.

**Help with Electronic Filing and Fee Payment: Ministry of the Attorney General**

18. For questions on electronic filing using Civil Submissions Online, including fee payment through this portal, members of the public and counsel can contact the Court Services Division's Contact Centre for Online Services by telephone or email as follows:

- Telephone: 1-800-980-4962 or 647-438-0403 (TTY 1-833-820-0714 or 416-368-4202)
- Email: [CivilClaimsOnline@ontario.ca](mailto:CivilClaimsOnline@ontario.ca)

#### **D. Paying Court Fees**

19. Court fees are prescribed by regulation and are generally payable at the time a document with an associated fee is submitted to the court. Where a document is submitted through Civil Submissions Online, payment is made through the portal. Where a document is submitted in person, payment is made in person. Where a document is submitted by email or mail, payment can be made over the phone through a secure credit card transaction or by mail using a cheque, and must be processed before the document will be accepted for filing and/or issuance. Court office phone numbers and mailing addresses can be found on the [Ministry of the Attorney General's website](#).

20. Parties who cannot afford to pay court fees may request a fee waiver certificate. Information about requesting a fee waiver can be found in the [Ministry of the Attorney General's Court Fee Waiver Guide and Forms](#). Fee waiver certificates apply to fees not yet paid.

21. Court fees for documents that were filed by email on or after March 16, 2020, can be paid over the phone through a secure credit card transaction. Court office phone numbers can be found on the [Ministry of the Attorney General's website](#).

22. Cheque payments must be made out to the Minister of Finance and, if mailed or couriered to the court, must be accompanied by a letter that indicates the court file number and title of proceeding, identifies the document that was filed by email, date of the email filing, party who filed the document by email and the name of the representative of the party (if any).

#### **E. Motions for Leave to Appeal Under Rule 62.02 of the Rules of Civil Procedure**

23. Motions for leave to appeal under Rule 62.02 of the Rules of Civil Procedure arise from:

- a. interlocutory orders of a judge under s. 19(1)(b) of the *Courts of Justice Act*; and
- b. final orders of a judge pertaining to costs under ss. 19(1)(a) and 133(b) of the *Courts of Justice Act*.

24. All Rule 62.02 motions for leave to appeal are heard in writing by a panel of three judges in the Toronto Region (select Toronto Divisional Court if filing online). There is no court attendance for the hearing of these motions.

25. In the motion materials filed with the court:

- a. Parties should refer to themselves as "the moving party" or the "responding party".

- b. The Motion Record must include a copy of the signed and entered order from which leave to appeal is sought.
- c. Both the moving party's and responding party's Motion Records must include costs submissions respecting the motion for leave to appeal if costs are sought. The costs submissions should include the proposed quantum of costs (win or lose) and a costs outline (Form 57B).

#### **F. Information to be Submitted to the Court**

26. Within two weeks after an application or appeal is commenced, or a motion is filed, the parties shall send an email to the court setting out,
- a. any preliminary issues;
  - b. a draft proposed or agreed schedule for the exchange of court documents; and
  - c. the proposed hearing length required (e.g. half a day for panel hearings).

Divisional Court email addresses are set out in Schedule A.

27. For all matters heard by a panel of three judges, the parties will be notified of the mode of the hearing (in-person or virtual) except for Rule 62.02 motions for leave to appeal (which are in writing). Please see the Guidelines to Determine Mode of Hearing in the Consolidated Provincial Practice Direction for Civil Proceedings ([Link](#)). These guidelines set out presumptive methods of attendance Divisional Court events.
28. In addition, at least thirty days before a panel hearing, parties may make a request regarding the mode of hearing (in person or virtual) by providing the following information in an email to the Divisional Court in the Regional Centre where the matter was commenced:
- a. subject line to begin "Mode of Hearing" and include the short title of proceedings and court file number;
  - b. hearing date;
  - c. the agreed mode of hearing (in person or virtual) or, if the parties do not agree, the requested mode by each party together with a few sentences of reasons.

See Schedule A for court email addresses. Parties will be notified of the court's decision. If a hearing will be held virtually, the Zoom link will be added to CaseLines prior to the hearing.

29. All motions, other single-judge hearings, and case conferences are conducted virtually, either by Zoom or teleconference, unless the court orders otherwise. The court office will send parties a conference call number in advance of a teleconference. Videoconference links are provided in CaseLines.

30. Counsel are permitted to share Zoom links or teleconference numbers with their clients and other members of their firm. If the parties anticipate that there will be broad media interest and/or public interest in an upcoming virtual hearing, the parties should advise the court well in advance so that appropriate arrangements can be made to accommodate a large viewing audience.

### **G. Triage and Case Management**

31. All applications, appeals, and motions in Divisional Court, and all steps in those proceedings, may be subject to judicial case management. The purpose of case management is to facilitate access to justice through the timely adjudication of proceedings in Divisional Court in a cost-effective and proportional manner.
32. When a proceeding is commenced or a motion is brought, the matter may be subject to triage by a judge. The judge may give directions on matters such as (a) jurisdiction, (b) timeliness, (c) prematurity (d) identification of proper parties, and (e) any other issue that, in the opinion of the judge, ought to be addressed with the parties. This process does not preclude any party from raising preliminary issues with the court.
33. A judge may direct that there be a case management conference with the parties. The case management conference will be scheduled by court staff and presided over by a judge. Case management conferences are held by telephone unless the judge directs otherwise. The triage judge is not seized of case management unless the triage judge directs otherwise.
34. A triage or case management judge may give directions regarding the conduct of a matter, and those directions are orders of the court.
35. Any timetable or deadline set through case management supersedes the deadlines set in the *Rules of Civil Procedure*.
36. Unless the presiding judge orders otherwise, there shall be no costs associated with triage or case management in the Divisional Court. This principle is without prejudice to a party claiming costs in respect of the preparation of materials for use at the hearing of the underlying proceeding or step in the proceeding. For example, an initial request to bring a proceeding in Divisional Court will not ordinarily give rise to an award of costs, but the preparation of the Notice of Appeal, Notice of Application or Notice of Motion provided to the court is subject to a claim for costs in the underlying proceeding.

### **H. Motions for a Stay, Interim Orders, or to Set Aside a Stay Pending Appeal or Judicial Review**

37. A party seeking a stay of all, or part, of an order being challenged in the Divisional Court should raise this issue with the court at the earliest opportunity, generally when first contacting the court to request a hearing. The request for a stay may give rise to a case conference.
38. A judge may grant or decline a stay by case management direction, or may direct that a motion be brought for a stay or to set aside a stay, on such schedule and terms as the judge considers just and may take into account the parties' positions on scheduling the underlying case in deciding what process to follow and whether to grant or set aside a stay and on what terms.

39. Where a party is seeking a stay, that party is expected to agree to serve their court materials and to participate in the hearing or a case conference as quickly as reasonably possible, to minimize the prejudice of any stay that may be granted. Where a party is responding to and opposing a motion for a stay, that party is expected to agree to prepare its responding court materials and to participate in the hearing or a case conference as quickly as reasonably possible, to either obviate the need for a stay or to minimize the prejudice of granting or refusing a stay.
40. For automatic stays of residential eviction orders under Rule 63.01(3) of the *Rules of Civil Procedure*, see Part II, below. Automatic stays may also be available under other rules or legislation.
41. This Section H also applies, with any necessary changes, to requests for interim orders under s. 134(2) of the *Courts of Justice Act*.

#### **I. Self-Represented Litigants**

42. This Consolidated Practice Direction applies to all proceedings in Divisional Court, whether parties are represented by counsel or are self-represented. Self-represented parties are expected to familiarize themselves with the relevant legal practices and procedures pertaining to their case. If a self-represented litigant is unable to conduct a case in accordance with any of the requirements set out in this Consolidated Practice Direction, the self-represented litigant shall advise the court of the difficulty and ask if there are alternatives to these procedures. These requests should be made promptly and can be submitted to the email address corresponding to the judicial region where the matter is being heard (see Schedule A).
43. Litigants with a disability may request accommodation. The court accessibility information and resources can be found on the Ministry of the Attorney General's [Going to court: accessibility](#) page.
44. In preparing materials for an appeal or application for judicial review, self-represented parties are encouraged to refer to resources for the public on the Superior Court of Justice website at: <https://www.ontariocourts.ca/scj/divisional-court/resources/>

### **Part II: Appeals from decisions of the Landlord and Tenant Board**

1. The following practices shall be followed in appeals from decisions of the Landlord and Tenant Board pursuant to s. 210 of the *Residential Tenancies Act, 2006* (the "RTA").

#### **A. Delivery of Notice of Appeal**

2. The appellant must "deliver" a Notice of Appeal. A Notice of Appeal is "delivered" by:
  - a. serving the Notice of Appeal and the appellant's certificate respecting evidence on the Landlord and Tenant Board and on the landlord(s), and

- b. submitting the Notice of Appeal together with proof of service of the Notice of Appeal with the appropriate Divisional Court location. (See information on commencing proceedings and filing documents in Parts 2 and 3 above.)
3. A Notice of Appeal shall be in Form 61A.1 of the *Rules of Civil Procedure* and an appellant's certificate respecting evidence shall be in Form 61C of the *Rules of Civil Procedure*. These forms are available on the [Ontario Court Forms website](#).

#### **B. Required Information in the Notice of Appeal**

4. The Notice of Appeal must include the following information:
  - a. The name(s) and address for service of the Tenant(s) including a working email address if the Tenant(s) have one.
  - b. The name(s) and address for service of the Landlord(s) including a working email address if the Landlord(s) have one.
  - c. The address for service used by the Tenant(s) to give notice of the appeal to the Landlord and Tenant Board.
  - d. Particulars of the decision(s) being appealed including:
    - i. The date(s) of the decisions.
    - ii. The name(s) of the decision-makers.
    - iii. The file number(s) of the Landlord and Tenant Board proceeding(s).
    - iv. The location where the Landlord and Tenant Board proceeding(s) took place.
    - v. Any neutral citations for the decisions being appealed (the identifying numbers for decision(s), expressed as follows: "[YEAR] ONLTB ####", for example "2002 ONLTB 1234".
  - e. The address (including postal code) of the residence that is the subject-matter of the tenancy.
5. Provided that the Notice of Appeal contains the required information and there is a proper appellant's certificate respecting evidence, the registrar receiving the Notice of Appeal shall confirm receipt of the Notice of Appeal to all parties at the email addresses for service identified on the Notice of Appeal, if the Notice of Appeal has been submitted electronically to the court. If the Notice of Appeal has been received in person at a court office, the party can receive a stamped "filed" copy.

#### **C. Requisitioning a Certificate of Stay**

6. As set out in Rule 63.01(3) of the *Rules of Civil Procedure*, the "delivery of a Notice of Appeal" from an order under the *RTA* stays, until the disposition of the appeal, any provision of the order (a) declaring a tenancy agreement terminated or evicting a person, or (b) terminating a member's occupancy of a member unit in a non-profit housing cooperative or evicting the member. This stay may be lifted by the court under Rule 63.01 (5).

7. Where a party wishes to obtain a “Certificate of Stay” certifying that the decision of the Landlord and Tenant Board has been stayed pending appeal pursuant to R.63.01(3) of the *Rules of Civil Procedure*, the party shall provide the court with a completed Requisition for a Certificate of Stay of a Landlord and Tenant Board Decision” which may be in the form attached to this Consolidated Practice Direction as Schedule C.
8. A “Requisition for a Stay LLTB” may be provided to the court in the same way and at the same time that a Notice of Appeal and appellant’s certificate respecting evidence is provided to the court.
9. Upon receipt of a completed “Requisition for a Stay LLTB” in respect of an appeal previously commenced, or upon receipt of such a Requisition at the same time as receipt of a Notice of Appeal and appellant’s certificate respecting evidence complying with this Consolidated Practice Direction, the registrar shall issue a certificate of stay and,
  - a. If the Requisition was received electronically, shall transmit a copy of the certificate of stay to all parties to their addresses for service identified on the Notice of Appeal by email; or
  - b. If the Requisition was received in person at a courthouse, shall provide an original issued copy of the certificate to the appellant.
10. The court may give case management directions requiring payment of ongoing rent and payment of or on account of arrears, in default of which the court may lift the stay.

#### **D. Appellant Responsible for Providing Certificate of Stay to the Sheriff**

11. It is the responsibility of the appellant(s) to ensure that the certificate of stay is received by the Sheriff (Civil Enforcement Office) in order to vacate any eviction date that is scheduled with the Sheriff. Appellants should confirm with the Sheriff that the certificate of stay has been received and that the Sheriff knows that the eviction order has been stayed. Appellants should provide the Sheriff with a copy of the certificate of stay directly if requested to do so by the Sheriff.

#### **E. Requests to Set Aside Stays**

12. A respondent wishing to make a request to lift a stay of an order of the Landlord and Tenant Board pursuant to R.63.01(5) of the *Rules of Civil Procedure* may make that request either by requesting a case conference or requesting that a motion be scheduled.
13. The request to schedule a motion to lift a stay must be submitted the court using the Portal. The party must submit the Divisional Court Intake Form (link) together with a copy of the Notice of Motion and the certificate of stay respecting the appeal. On the Divisional Court Intake Form, the party must briefly explain the reason(s) why the respondent is seeking to have the stay lifted. If these reasons include non-payment of rent, include a brief accounting of the rent. The court will then give written directions and/or schedule a case conference or motion respecting the request to set aside the stay.

#### **F. Timely pursuit of appeal**

14. All appellants must move their appeals forward in a timely way. Any party with a stay pending appeal is responsible to move forward with their appeal even more promptly.
15. Unless the appellant(s) is not relying on what transpired at the hearing before the Landlord and Tenant Board in their appeal, the appellant(s) must request the audio recording of the hearing from the Board within 15 days after the commencement of the appeal and must promptly have the transcript prepared upon receipt of the audio recording.
16. A case management judge may impose a schedule for obtaining transcripts and serving appeal materials that reflects the above principles. Where a party fails to comply with the court's directed schedule for the appeal, a judge may, for this reason, order that the stay (if any) of the Landlord and Tenant Board order be set aside and that the appeal be quashed.

### **Part III: Use of CaseLines in Divisional Court Proceedings**

#### **A. Uploading Electronic documents to CaseLines for use at Hearings**

1. CaseLines is an online platform where judges, counsel, parties, and court staff view electronic court documents before and during hearings.
2. All court documents must be uploaded to CaseLines regardless of whether the hearing is in person or virtual. Each party must upload their court documents to CaseLines as set out below. Information about how to use CaseLines is available on the [court's website here](#).
3. This step is different from filing documents with the court. Documents uploaded to CaseLines for use at a hearing should have already been filed by the party as set out in Part I, section C above. Where there is a difference between the filed version of a document and the version provided to the court for use at a hearing, the filed version shall prevail.
4. Parties will receive an email from CaseLines with a link for their matter. Include your current email addresses on all documents that are filed with the court and make CaseLines a trusted sender by saving **caselines.com** in your contacts list, or regularly check your junk folder for emails from CaseLines.
5. Materials must be uploaded on CaseLines as follows and in accordance with the following deadlines:
  - a. Unless the court approves an expedited or modified schedule, all materials must be uploaded promptly after service or as soon as practicable after the CaseLines link has been provided.
  - b. All documents must be uploaded in PDF format. The indexes to all Records should include hyperlinked bookmarks. Factums must also be uploaded in Word format.
  - c. Upload documents into the specific bundle created for the hearing. Do **NOT** upload documents into the Master Bundle.
  - d. Each party's factum shall hyperlink authorities as set out in Part IV, section D below.

- e. No book of authorities containing the full text of authorities available on a public website shall be uploaded to CaseLines unless the court orders otherwise, as set out in Part IV, section D below.
- f. Documents must be named in accordance with the Standard Naming Protocol in Part I, section D above.
- g. No single document may be more than 500 pages long. Appeal Books and all Records shall be filed using the minimum number of volumes, each no longer than 500 pages.
- h. Individual Tabs of Books, Records and Briefs shall not be uploaded as separate documents on CaseLines.
- i. Each party must upload to CaseLines a compendium containing key materials that will be referred to in oral argument in accordance with Part IV, section C below. The compendium for oral argument must be uploaded to CaseLines as soon as possible before the hearing date. Where portions of cases are included in a compendium, the title of the proceeding and headnote should be included as well. Where portions of the record are included in a compendium, the first page of the document and identification of where it may be found in the record, by reference to CaseLines page number, should also be provided.
- j. At least one day before the hearing, the parties must upload a [Participant Information Form](#) setting out the name(s) of counsel and self-represented parties, how they wish to be addressed, and the estimated time for oral submissions. This document is only uploaded to CaseLines. It is not also filed with the court.
- k. Unless the court has directed an earlier deadline, the parties must upload the agreement they have reached on costs, or their bills of costs or costs outlines, at least one week before the hearing.
- l. Documents and must be uploaded so that the documents are displayed in CaseLines in the following sequence:
  - 1-Factum
  - 2-Application Record/Appeal Book and Compendium/Motion Record
  - 3-Transcripts, if any
  - 4-Exhibit Books, if any
  - 5-Abbreviated Book of Authorities, if any
  - 6-Bill of Costs/Costs Outline, if any
  - 7-Participant Information Form
  - 8-Oral hearing Compendium, if any
  - 9-Other documents, if any and if permitted under the *Rules of Civil Procedure*.

Adding a numerical prefix in the document name, as illustrated above, helps to ensure that the documents remain listed in the correct order in CaseLines.

- m. The parties shall make all efforts to upload materials to CaseLines promptly after service and filing. However, in the event parties are unable to meet that timeline, or parties inadvertently missed uploading their documents at that time, all materials must be uploaded at least four weeks before the hearing date. This deadline takes precedence over the deadlines set out in Rule 4.05.3 of the *Rules of Civil Procedure*.
6. At the hearing, the parties must be prepared to use CaseLines bundles and CaseLines-generated page numbers and the “Direct Others to Page” function and to advise the court of the CaseLines page numbers when referring to documents.
  7. It is the responsibility of the parties to ensure that all materials they upload to CaseLines comply with the *Rules of Civil Procedure* and are properly before the court. Parties may depart from the *Rules of Civil Procedure* only if a judge grants them leave to do so.
  8. Appeals and Applications for Judicial Review are generally conducted solely on the Record that was before the court or tribunal whose decision is under appeal or review in Divisional Court. Generally, parties are not permitted to add to the Record below in Divisional Court unless they obtain an order from the Divisional Court permitting them to do so. If a party uploads documents that are not properly before the Divisional Court, the court may strike out the documents, with or without leave to bring a motion to put forward the evidence and may order costs against the party that uploaded the materials.
  9. The parties shall comply with the court’s directions for making court documents available for the hearing using CaseLines. If a party has an issue with or is unsure about the process, the party may email the court and all other parties, setting out the issue, and the court may direct a case conference with a judge or provide other directions.
  10. Unredacted versions of documents that are, or are proposed to be, the subject of a sealing order should **NOT** be uploaded into CaseLines. Although the notice of motion for the sealing order can be uploaded after it is filed with the court, the unredacted document proposed to be sealed must be emailed to the Divisional Court Regional Centre Trial Coordination Office, identifying the case name, court file number and the hearing date (if assigned), together with a request that the document be forwarded to the presiding judge or associate judge as a sealing order is being sought. If the hearing takes place by telephone or videoconference, immediately following the granting of the sealing order, the moving party must enclose an unredacted version of the document in a sealed envelope, append the court order/endorsement to the envelope, and file it in hardcopy at the court office for inclusion in the court file.
  11. In motions for removal as lawyer of record under rule 15.04(1.2) and (1.3) of the *Rules of Civil Procedure*, upload redacted motion materials to CaseLines. Unredacted motion materials should **NOT** be uploaded to CaseLines. These documents should be emailed to the Divisional Court Regional Centre for delivery to the judicial official, unless a regional practice direction or notice to the profession provides for another method of delivery.
  12. Parties should identify any documents that have been inappropriately uploaded by opposing parties by making a case note in CaseLines specifying the document/s and why it/they should not have been uploaded. Where a confirmation form is required for the event, any documents that have been improperly uploaded should also be noted on that form.

## **B. Help with CaseLines**

13. For assistance with technical issues, contact Thomson Reuters technical support at 1-800-290-9378 and select either “CaseLines”, “Case Center” or “Evidence Sharing” when you reach the directory, or email [decsupport@thomsonreuters.com](mailto:decsupport@thomsonreuters.com). Support is available from 8:00 a.m. to 5:00 p.m. (Monday to Friday).
14. If you are a **self-represented litigant**, the Ministry of the Attorney General’s Court Services Division is now offering telephone support. Please dial 1-800-980-4962 or 647-438-0403 and select option 4 for CaseLines support or email your questions to [info.CaseLines@ontario.ca](mailto:info.CaseLines@ontario.ca).
15. Information about how to use CaseLines is available on [the court’s website here](#).

For self-represented parties without access to the necessary technology, assistance is also available through the court filing office or with the [Accessibility Coordinator](#) at the courthouse where the case is being heard: [Accessibility | Superior Court of Justice \(ontariocourts.ca\)](#)

## **Part IV: Efficient Use of the Court’s Time Before and During Hearings**

### **A. Standard Document Naming Protocol**

1. When documents are submitted to the court in electronic format, the document name must be saved using the standard document naming protocol set out in Part I, section D above.

### **B. Parties’ Responsibility to Provide Accurate Estimates of Hearing Time**

2. Parties must give careful consideration to what is to be covered in the hearing time, the pace at which documents and authorities can reasonably be reviewed, and the time needed for oral argument on the issues raised. This consideration should extend to:

- a. the number of issues which can properly be dealt with in oral argument, and
- b. the number of authorities actually required in order to establish the legal propositions relied upon.

3. Inaccurate estimates for the time required for hearings may result in a case being adjourned (either before or during the hearing) and rescheduled for a realistic time estimate with no expedition of the rescheduling. There may also be cost consequences.

### **C. Compendium Required**

4. In accordance with Rule 4.05.3(3) of the *Rules of Civil Procedure*, each party in a hearing using CaseLines must upload to CaseLines a compendium containing key materials that will be referred to in oral argument (e.g., fair extracts of documents, transcripts, previous orders, etc.).

5. The compendium must include only those materials that will be referred to in oral argument and must have a table of contents hyperlinked to the sections within it and hyperlinks to authorities cited.

#### **D. Factums and Books of Authorities**

6. The factum should only include cases that counsel or the party intends to refer to in the oral argument.
7. Each party's factum shall hyperlink authorities to a publicly available, free website such as CanLII, whenever they are available on such a website.
8. The factum must include paragraph references each time a case is cited in the factum, with the applicable paragraph also hyperlinked.
9. Where hyperlinks to all authorities are provided in the factum, it will not be necessary to file a book of authorities.
10. Where a party files an electronic book of authorities, authorities that are available on a free public website such as CanLII shall be linked from the table of contents only. Authorities that are not available on a free public website, such as unreported decisions, decisions only available on approved private electronic databases, and excerpts from textbooks, shall be included in full. The book of authorities shall have a table of contents that has internal hyperlinks to the cases and textbook excerpts contained within it.
12. "Approved private electronic databases" are private databases that are dedicated to the publication of judicial decisions (e.g. LexisNexis Quicklaw and Westlaw).
13. Counsel and parties should be aware that judicial decisions posted on electronic databases may be subject to correction or editing within a few days of the initial posting and, accordingly, parties should ensure that any decision obtained from an electronic database has not been subsequently amended. Parties should provide the date that the copy of any decision was obtained from an electronic database, as part of the citation information. Parties should also provide the neutral case citation number (e.g. 2010 ONSC 1).

#### **E. Materials Relied Upon Must Be Referenced during Hearing**

14. The oral hearing is the occasion when arguments must be succinctly set out by the parties. Parties must bring to the attention of the court all relevant material facts and the authorities that establish the legal proposition relied upon. It is not sufficient to merely upload filed materials to CaseLines.
15. Materials that are not brought to the attention of the judicial officer at the hearing may not be considered. Judicial officers' judgment writing time is not sufficient to permit it to be used as an extension of the time allocated for oral argument

#### **F. Avoiding Adjournments of Scheduled Court Dates**

16. Where a hearing or appeal has been set by the Divisional Court, the matter is expected to take place on that date. Adjournments of scheduled court dates are to be avoided to reduce court delays, the waste of court resources, and the unnecessary expense and inconvenience to the parties.

## Part V: Guidelines to Determine Mode of Hearing

1. Please see the Guidelines to Determine Mode of Hearing in the *Consolidated Provincial Practice Direction for Civil Proceedings* (Link). These guidelines set out presumptive methods of attendance for civil and Divisional Court events. Also see Part I, section F of this practice direction for scheduling protocols related to the application of the presumptive guidelines in Divisional Court matters and the process for requesting changes in the presumption.

## Part VI: Practice Directions Applicable to all Superior Court of Justice Proceedings

### A. Preparing for a virtual hearing

1. To ensure the virtual hearing runs smoothly, please see the **court's Virtual Courtroom Etiquette Rules** to help you prepare for the hearing, (including by testing your internet connectivity and having a charger available during the hearing).
2. All participants and members of the public that attend a virtual court proceeding must conduct themselves as if they were physically in the courtroom. All individuals participating in virtual court proceedings must observe the well-established rules of court decorum which can be found here: **Virtual Courtroom Etiquette Rules**.

### B. Public and Media Access to SCJ Virtual Hearings

3. Any member of the public who wishes to hear/observe a public, virtual proceeding may email their request to the local courthouse staff in advance of the hearing. Indicate which hearing you wish to hear/observe and provide your contact information. Certain proceedings, such as conferences involving settlement discussions and child protection matters, may be closed to the media and public by legislation or court order.

### C. Recording and Other Illegal Conduct during a Virtual Hearing

4. Participants and observers shall not record, take photos, screen capture, or broadcast any part of a court proceeding unless it is expressly authorized by the presiding judicial official. It is an offence under section 136 of the **Courts of Justice Act** and you may also be charged with an offence under the **Criminal Code**, if you record, photograph, screen capture, publish, broadcast (or live stream) any part of a court proceeding without the express permission of the presiding judicial official.
5. Other conduct during the course of a virtual court hearing may be an offence under the **Criminal Code** or may constitute contempt of court, for example, racist comments or threats to harm a person or justice participant.

### D. Gowning for Counsel

6. Counsel must be gowned for any virtual proceeding that, if conducted in person, would require gowning. Counsel are not required to gown for the following court attendances:

- Trial scheduling court (also known as assignment court, “speak to” court or “purge court”);
- Case conferences, trial management conferences, or pre-trials; and
- Proceedings in the Small Claims Court.

7. Counsel must be gowned for all other proceedings. They must do so regardless of whether the presiding judicial official is a judge or an associate judge.

8. Counsel with personal circumstances, including pregnancy, a medical condition or disability, may modify their traditional court attire in order to accommodate their personal circumstances as they see fit, including dispensing with a waistcoat and tabs. Modified attire must be both dark in colour and in keeping with court decorum.

9. Counsel wearing modified attire are requested to advise the court registrar before the opening of court that they are wearing such attire in accordance with this Practice Direction. This is to ensure that counsel do not need to discuss their personal circumstances or modified attire on the record or in open court.

#### **E. Communicating with the Judiciary, Court Staff, and Trial Coordinators**

10. Counsel and self-represented persons shall not communicate directly with a judge unless the court directs otherwise. Instead, they may communicate with the court office by email subject the court’s directions (see Schedule A).

11. When communicating by email with court staff or trial coordinators, counsel and self-represented parties should:

a. Include the following information in the **subject line**:

- Level of court (Div. Ct.)
- Type of matter (appeal, application, motion, case conference)
- File number (indicate NEW if no court file number exists)
- Originating court location
- Short title of proceeding
- Date of hearing, if set

b. Include in the body of the email the following information, if applicable:

- Court file number (if it is an existing file)
- Type of document (e.g., Notice of Appeal, Notice of Application, Notice of Motion, Divisional Court Intake Form)
- Short title of proceeding

- Date of hearing, if set
  - List of documents attached
  - Type of request
  - Name, role (i.e. lawyer, representative, party, etc.,) and contact information of person submitting the request (email and phone number)
- c. Copy all parties on emails sent to the court.

## **F. Orders**

12. Judgments, endorsements and orders of the court are effective as of the date they are made, unless the judgment, endorsement or order states otherwise.

13. Where a draft order is submitted online for issuing and entering, the registrar can electronically issue the order and email it to the requestor. Attending at the courthouse to have an order issued and entered in person is not recommended unless it is time-sensitive.

14. Please note that an issued and entered order is required for the purpose of an appeal to the Court of Appeal for Ontario or an appeal to the Divisional Court Branch of the Superior Court of Justice

## **Part VII: Accessing Court Transcripts and Release of Digital Court Recordings**

### **A. Accessing Court Transcripts**

1. A request for an official transcript of a court proceeding may be made by accessing the information and following the procedure set out on the Ministry of Attorney General website for Court Transcripts:

[https://www.attorneygeneral.jus.gov.on.ca/english/courts/court\\_transcripts.php](https://www.attorneygeneral.jus.gov.on.ca/english/courts/court_transcripts.php).

2. If the authorized court transcriptionist is unable to access the recording to make a transcript, you may make a motion to the judge to ask that access be granted. Unless a judge of the Superior Court of Justice orders otherwise, no transcripts are available to anyone - including the parties - for case, settlement, and trial management conferences.
3. When the public is excluded from a court proceeding (known as *in camera* proceedings), the public may not have access to records relating to that portion of the proceedings.

### **B. Policy on the Release of Digital Recordings**

4. This section outlines the policy on the release of digital court recordings. Members of the public, counsel, litigants, accused or the media may obtain copies of digital court recordings (hereinafter referred to as “digital recordings”) made from Digital Recording Devices (DRDs) of matters heard in open court, in accordance with the requirements of this section. The copies of digital court recordings will include annotations.

5. The release of digital recordings will be at the court's discretion and the use of all digital recordings will be subject to any court order and any common law or statutory restriction on publication applicable to the particular proceeding.

6. Unless this section provides otherwise, all persons must execute an undertaking with the court to access the digital recordings. The undertaking prescribes the way in which the digital recording is to be used and the terms and conditions under which the digital recording is being provided. All digital recordings are subject to the prohibition set out in s. 136 of the [Courts of Justice Act](#), which prohibits the broadcast, reproduction and dissemination of audio recordings. Any person who contravenes s. 136 is guilty of an offence and subject to a penalty, in accordance with s. 136(4) of the *Courts of Justice Act*.

### **C. Definitions**

7. For the purposes of this section, "judge" means: all judges and associate judges of the Superior Court of Justice.

### **D. Restrictions on Access to Digital Recordings from DRDs**

8. All copies or access to digital recordings are subject to any express order the presiding judge may make. The presiding judge may expand or restrict access to the digital recordings in any particular proceeding before him or her.

9. Unless a judge of the Superior Court of Justice orders otherwise, no digital recordings are available to anyone in the following proceedings:

- a. *in camera* proceedings or any portion of a proceeding that is heard *in camera*;
- b. private or closed hearings (e.g. pursuant to s. 87 of the [Child, Youth and Family Services Act](#));
- c. proceedings subject to a statutory, common law or court ordered restriction on the provision of transcripts or digital recordings of the proceeding (e.g., pre-trial conferences held in court with self-represented accused, pursuant to rule 28.05(4) of the [Criminal Proceedings Rules](#) of the Superior Court of Justice (Ontario), proceedings under the [Youth Criminal Justice Act](#));
- d. case conferences and,
- e. motions, applications, and appeals.

### **E. Access to Digital Recordings from DRDs**

#### **Counsel of Record**

10. A counsel of record in a proceeding may obtain the digital recordings of that proceeding upon completion of the "[Undertaking of Counsel/Licensed Paralegal of Record](#)" and payment of the prescribed fee.

11. Persons attending on behalf of counsel of record may obtain the digital recording if he or she: (i) provides a signed undertaking from counsel of record; (ii) signs the authorization included in the "[Undertaking of Counsel/Licensed Paralegal of Record](#)"; and (iii) pays the prescribed fee.

## **Litigant or Accused**

12. A litigant or accused in a proceeding may obtain the digital recordings of that proceeding upon completion of the “[Undertaking to the Court for Access to Digital Court Recordings](#)” and payment of the prescribed fee.

## **The Media**

13. Members of the media, identified on the “[Joint Courts’ List of Designated Media for Access to Digital Court Recordings](#)” accessible on the Superior Court of Justice website: [www.ontariocourts.ca/en/media-list.htm](http://www.ontariocourts.ca/en/media-list.htm), may obtain the digital recordings upon completion of the “[Undertaking to the Court for Access to Digital Court Recordings](#)” and payment of the prescribed fee.

14. Members of the media who are not identified on the “[Joint Courts’ List of Designated Media for Access to Digital Court Recordings](#)” may make an application for an order in accordance with this section authorizing them to obtain access to the digital recordings of the proceeding. Such an applicant may obtain the digital recordings if he or she: (i) obtains a court order authorizing access, (ii) completes “[Undertaking to the Court for Access to Digital Court Recordings](#)”, and (iii) pays the prescribed fee.

## **Members of the Public**

15. Members of the public may make an application for an order in accordance with this section authorizing him or her to obtain access to the digital recordings of the proceeding.

16. The applicant may obtain the digital recording if he or she: (i) obtains a court order authorizing access, (ii) completes the “[Undertaking to the Court for Access to Digital Court Recordings](#)”, and (iii) pays the prescribed fee.

### **F. Presiding Judge, Regional Senior Judge (RSJ) or Local Administrative Judge (LAJ)**

17. Copies or access to digital recordings shall be provided, upon request, to the presiding judge for the proceeding in which the digital recording was prepared.

18. Copies or access to digital recordings shall be provided, upon request, to the RSJ or LAJ (or his or her designate), for administrative purposes, in the absence of the presiding judge. The presiding judge will be notified that access or copies of the digital recording were made available to the RSJ or LAJ (or his or her designate).

19. Where a judge wishes to access a digital recording from a proceeding in which another judge presided, the judge shall obtain the consent of the presiding judge to access the digital recording, subject to paragraph 99 (below).

20. Where a judge determines that he or she can deal more effectively and efficiently with a case by accessing a digital recording from a previous proceeding before another judge, in the same case or a related case, the judge can access the digital recording by obtaining permission from the presiding judge, the RSJ, the LAJ, or his or her designate, *unless it is in the interests of justice to dispense with such permission*. In that event, access to the digital recording shall be provided to the judge upon request. After access is provided, the judge who has obtained

access shall notify the judge who presided at the earlier proceeding, if that judge was not notified when the issues arose.

#### **G. Court Services Division Staff and Authorized Court Transcriptionists**

21. Copies or access to digital recordings shall be provided upon request at no charge to the following:

- a. Court Services Division Staff who require access in the course of their employment responsibilities; and,
- b. Authorized Court Transcriptionists authorized by Regulation 158/03 under the *Evidence Act* who require access to transcribe court proceedings and who have signed an "Undertaking of Authorized Court Transcriptionist for Access to Audio Court Recordings".

#### **H. Named Administrative Bodies or Organizations**

22. Representatives of the bodies or organizations authorized pursuant to a Memorandum of Understanding with the Ministry of Attorney General to have access to digital audio recordings may obtain digital court recordings of court proceedings related directly to the matters under consideration by these bodies or organizations, upon completion of an Undertaking approved by the court and prescribed by the Memorandum of Understanding.

#### **I. Hearing of the Application for Access to the Digital Recording**

23. Applications regarding access to the digital recording for any ongoing proceeding will be heard by the judge who is seized of the proceeding.

24. Applications shall be brought in accordance with the procedural rules that govern the court proceeding.

25. Applications regarding access to the digital recording for any other type of proceeding or for a proceeding that has concluded will be heard by the judge who presided at the hearing.

26. Where the judge who presided at the hearing is not available to hear the application or where no particular judge is associated with the proceeding, the RSJ or LAJ (or his or her delegate) may hear the application. Applicants should be aware that, especially for proceedings that have concluded or proceedings adjourned for a lengthy period of time, it may not always be possible to schedule an application before the appropriate judge on short notice because a judge may have many ongoing obligations in other proceedings.

27. The Undertaking of Counsel/Licensed Paralegal of Record to the Court for Access to Digital Court Recordings can be obtained as a [Word](#) or [PDF](#) document on the Superior Court of Justice Website.

28. The Undertaking to the Court for Access to Digital Court Recordings (for use by anyone other than a counsel or paralegal of record) can be obtained as a [Word](#) or [PDF](#) document on the Superior Court of Justice Website.

### **Part VIII: Electronic Devices in the Courtroom**

## **A. Policy on Use of Electronic Devices in the Courtroom**

1. This section outlines the protocol on how electronic devices may be used in courtrooms of the Ontario Superior Court of Justice by counsel, law students and law clerks assisting counsel, parties, and media or journalists. **Note:** This section does not apply to persons who require electronic devices (or services requiring the use of electronic devices) to accommodate a disability.

## **B. Definitions**

2. For the purposes of this section,

a. “electronic devices” include all forms of computers, laptops, and personal electronic devices, such as cell phones and tablets;

b. “publicly accessible live communications” are defined as the act of using an electronic device to transmit information from the courtroom to a publicly accessible medium (e.g. via Twitter or live blogs); and

c. “judge” means,

- i. All judges, associate judges of the Superior Court of Justice, and
- ii. judges of the Small Claims Court and deputy judges.

## **C. Prohibited Use of Electronic Devices by the Public**

3. Members of the public gallery observing the hearing are ***not permitted*** to use electronic devices in the courtroom unless the presiding judge orders otherwise.

## **D. Use of Electronic Devices in the Courtroom**

4. Unless the presiding judge orders otherwise, the use of electronic devices in silent mode and in a discreet and unobtrusive manner is permitted in the courtroom by:

- a. counsel;
- b. paralegals who are licensed by the Law Society of Ontario;
- c. law students and law clerks assisting counsel during the proceeding;
- d. parties; and,
- e. media or journalists

5. Where use of electronic devices is permitted under section 4 above, usage is subject to the following restrictions:

- a. The electronic device cannot interfere with courtroom decorum or otherwise interfere with the proper administration of justice.
- b. The electronic device cannot interfere with the court recording equipment or other technology in the courtroom.

- c. The electronic device cannot be used to send publicly accessible live communications where to do so would breach a restriction on publication made in the proceeding. **Note:** Anyone using an electronic device to transmit publicly accessible live communications from the courtroom has the responsibility to identify and comply with any publication bans or other restrictions that have been imposed either by statute or by court order.
- d. The electronic device cannot be used to take photographs or videos unless the judge has granted permission to do so, in accordance with s. 136 of the *Courts of Justice Act*.
- e. Counsel, parties, the media, and journalists must seek leave of the court for permission to audio record a proceeding. Any audio recording that has been approved by the court is for the sole purpose of supplementing or replacing handwritten notes.
- f. Talking on electronic devices is not permitted in the courtroom.

### **E. Enforcement**

6. Anyone who uses an electronic device in a manner that is inconsistent with this practice direction or any order of the presiding judge or that the presiding judge determines to be unacceptable may be:

- a. subject to prosecution for a breach of s. 136 of the *Courts of Justice Act*, a citation and prosecution for contempt of court, or prosecution for other offences;
- b. ordered to turn off the device;
- c. ordered to leave the device outside the courtroom;
- d. ordered to leave the courtroom; and/or
- e. ordered to abide by any other order the presiding judge may make.

## **Part IX: Publication Bans**

### **A. Application of this Part**

1. This part applies to all applications or motions for discretionary publication bans. It does not apply to publication bans that are mandated by statute (i.e., those that either operate automatically by virtue of statute or that a statute provides are mandatory on request).

### **B. Formal Notice of Application/Motion Required**

2. Unless otherwise directed by the court, any person seeking a discretionary order restricting publication of any Superior Court or Divisional Court proceeding must serve and file a notice of motion or application and any supporting materials, in accordance with the applicable procedural rules.

### **C. Notification of the Media**

3. Unless otherwise directed by the court, the person seeking the publication ban (the requesting party) must provide notice to the media of the motion using the procedure set out in this section.

4. The requesting party must complete and submit the “[Notice of Request for Publication Ban](#)” form available on the Superior Court of Justice website.
5. The notice period for submitting a Notice of Request for a Publication Ban is the same as the notice period under the applicable procedural rules for serving and filing a notice of motion.
6. The information on the Notice of Request for Publication Ban will be distributed electronically to members of the media who have subscribed to receive notice of all publication ban applications/motions in the Superior Court.
7. Any member of the media who wishes to receive copies of the Notices prepared and submitted under this section should [submit a request](#) through the Superior Court of Justice website.
8. The requesting party may be required to produce a copy of the Notice of Request for Publication Ban to the Court at the hearing of the application/motion in order to establish that notice was provided in accordance with this section.

**Part X: Reserved Decisions**

1. If a judge does not release a decision or endorsement within the timeframe provided by the judicial officer or as required under section 123 of the *Courts of Justice Act*, and if the parties have not been advised that an extension of time has been granted by the Regional Senior Judge or Chief Justice, counsel or parties should make reasonable inquiries with the appropriate court office. If, after reasonable inquiries, the decision is still not released and no extension or explanation has been provided, counsel or the party (if self-represented) are advised to write to the Regional Senior Judge.

Matheson J.

Divisional Court Administrative Judge

June 1, 2023

**Schedule A – Judicial Region Contact Information**

Superior Court of Justice Judicial Regions	Address for Divisional Court in Regional Centre
<p><b>Central East Region</b></p> <p>This region includes the following court locations:</p> <p style="padding-left: 40px;">Barrie Bracebridge Cobourg</p>	<p>Durham Region Courthouse</p> <p>150 Bond St. E.</p> <p>Oshawa, ON L1G 0A2</p>

<p>Durham Lindsay Newmarket Peterborough</p>	<p><b>Email:</b> <a href="mailto:Durham.SCJ.Courts@ontario.ca">Durham.SCJ.Courts@ontario.ca</a></p>
<p><b>Central South Region</b></p> <p>This region includes the following court locations:</p> <p>Brantford Cayuga Hamilton Hamilton Family Court Kitchener Simcoe St. Catharines Welland</p>	<p>Hamilton (John Sopinka) Courthouse 45 Main St. E. Hamilton, ON L8N 2B7</p> <p><b>Email:</b> <a href="mailto:Hamiltonciviloffice@ontario.ca">Hamiltonciviloffice@ontario.ca</a></p>
<p><b>Central West Region</b></p> <p>This region includes the following court locations:</p> <p>Brampton Guelph Milton Orangeville Owen Sound Walkerton</p>	<p>Brampton (A. Grenville &amp; William Davis) Courthouse 7755 Hurontario St. Brampton, ON L6W 4T1</p> <p><b>Email:</b> <a href="mailto:Bramptonscjcourt@ontario.ca">Bramptonscjcourt@ontario.ca</a></p>
<p><b>East Region</b></p> <p>This region includes the following court locations:</p> <p>Belleville Brockville Cornwall Kingston Kingston Family Court L'Orignal Ottawa Napanee Pembroke Perth Picton</p>	<p>Ottawa Courthouse 161 Elgin St., 2<sup>nd</sup> Fl. Ottawa ON K2P 2K1</p> <p><b>Email:</b> <a href="mailto:Ottawa.scj.courts@ontario.ca">Ottawa.scj.courts@ontario.ca</a></p>

<p><b>Northeast Region</b></p> <p>This region includes the following court locations:</p> <ul style="list-style-type: none"> <li>Cochrane</li> <li>Gore Bay</li> <li>Haileybury</li> <li>North Bay</li> <li>Parry Sound</li> <li>Sault Ste. Marie</li> <li>Sudbury</li> <li>Timmins</li> </ul>	<p>Sudbury Courthouse</p> <p>155 Elm St.</p> <p>Sudbury, ON P3C 1T9</p> <p><b>Email:</b>  <a href="mailto:sudburydivisionalcourt@ontario.ca">sudburydivisionalcourt@ontario.ca</a></p>
<p><b>Northwest Region</b></p> <p>This region includes the following court locations:</p> <ul style="list-style-type: none"> <li>Fort Frances</li> <li>Kenora</li> <li>Thunder Bay</li> </ul>	<p>Thunder Bay Courthouse</p> <p>125 Brodie St. N.</p> <p>Thunder Bay, ON P7C 0A3</p> <p><b>Email:</b>  <a href="mailto:Csd.thunderbay.scj@ontario.ca">Csd.thunderbay.scj@ontario.ca</a></p>
<p><b>Southwest Region</b></p> <p>This region includes the following court locations:</p> <ul style="list-style-type: none"> <li>Chatham</li> <li>Goderich</li> <li>London</li> <li>Sarnia</li> <li>St. Thomas</li> <li>Stratford</li> <li>Windsor</li> <li>Woodstock</li> </ul>	<p>London Courthouse</p> <p>80 Dundas St.</p> <p>London, ON N6A 6A3</p> <p><b>Email:</b>  <a href="mailto:Divisional.Court.London@ontario.ca">Divisional.Court.London@ontario.ca</a></p>
<p><b>Toronto Region</b></p> <p>This region includes the following court locations:</p> <ul style="list-style-type: none"> <li>Toronto</li> </ul>	<p>Osgoode Hall</p> <p>130 Queen St. W.</p> <p>Toronto, ON M5H 2N5</p>

## **Schedule B: Divisional Court CaseLines Naming Convention**

### **Applicant**

Factum – Applicant ABC Inc. – 01-JAN-2021  
Application Record – Applicant ABC Inc. – 01-JAN-2021  
Supplementary Application Record – Applicant ABC Inc. – 01-JAN-2021  
Oral Argument Compendium – Applicant ABC Inc. – 01-JAN-2021  
Book of Authorities – Applicant ABC Inc. – 01-JAN-2021  
Transcript Brief – Applicant ABC Inc. – 01-JAN-2021  
Exhibit Book – Applicant ABC Inc. – 01-JAN-2021  
Counsel Slip – Applicant ABC Inc. – 01-JAN-2021  
Cost Outline – Applicant ABC Inc. – 01-JAN-2021

### **Appellant**

Factum – Appellant ABC Inc. – 01-JAN-2021  
Appeal Book and Compendium – Appellant ABC Inc. – 01-JAN-2021  
Oral Argument Compendium – Appellant ABC Inc. – 01-JAN-2021  
Book of Authorities – Appellant ABC Inc. – 01-JAN-2021  
Transcript Brief – Appellant ABC Inc. – 01-JAN-2021  
Exhibit Book – Appellant ABC Inc. – 01-JAN-2021  
Counsel Slip – Appellant ABC Inc. – 01-JAN-2021  
Appellant's Cost Outline – Appellant ABC Inc. – 01-JAN-2021

### **Moving party**

Factum – Moving Party ABC Inc. – 01-JAN-2021  
Motion Record – Moving Party ABC Inc. – 01-JAN-2021  
Oral Argument Compendium – Moving Party ABC Inc. – 01-JAN-2021  
Book of Authorities – Moving Party ABC Inc. – 01-JAN-2021  
Counsel Slip – Moving Party ABC Inc. – 01-JAN-2021  
Cost Outlines – Moving Party ABC Inc. – 01-JAN-2021

### **Tribunal**

Record of Proceedings – ABC Board – 01-JAN-2021

### **Respondent**

Factum – Respondent Smith – 01-JAN-2021  
Responding Record – Respondent Smith – 01-JAN-2021  
Supplementary Respondent Record – Respondent Smith – 01-JAN-2021  
Responding Appeal Book and Compendium – Respondent Smith – 01-JAN-2021  
Oral Argument Compendium – Respondent Smith – 01-JAN-2021

Book of Authorities – Respondent Smith – 01-JAN-2021  
Transcript Brief – Respondent Smith – 01-JAN-2021  
Exhibit Book – Respondent Smith – 01-JAN-2021  
Counsel Slip – Respondent Smith – 01-JAN-2021  
Cost Outline – Respondent Smith – 01-JAN-2021

**Additional documents not specifically identified in this Schedule shall be named by analogy.**

**Schedule C:** Link to [Requisition for a Certificate of Stay of Landlord and Tenant Board Decision](#)



## DIVISIONAL COURT INTAKE INFORMATION FORM

Starting a Divisional Court proceeding by Notice of Application for Judicial Review, Notice of Appeal, or Motion

***Please provide the requested information below.***

Case name (e.g. Wong v. ABC Inc.):

Divisional Court file number, if assigned:

1. Indicate the nature of the matter to be scheduled (application, appeal, or motion) and provide a brief description (e.g., “appeal from the final order of Doe J. of the Superior Court of Justice dated mm/dd/yyyy”). The description should be no more than two sentences in length:
2. Provide a link to the decision being challenged (e.g. link to the decision on the CanLII website (<https://www.canlii.org/en/ca/>):

If the decision has not been reported on CanLII, provide an applicable link or include a copy of the decision together with this form.

3. Indicate any issues of urgency, time sensitivity, or other factors that you ask the court to take into consideration in scheduling:
4. If you are submitting your documents to the court by email due to urgency, as defined in Part I, paragraph 16 of the Consolidated Practice Direction for the Divisional Court ([link](#)), provide the names and email addresses of counsel and self-represented parties: